

Amend 2 Cal. Code Regs., Section 18215.3 to read:

§ 18215.3. “Behested Payments” Reporting.

(a) Except as provided in subdivision (b) below, for purposes of behested payment reporting as required by Section 84224, “made at the behest of” means made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express, prior consent of the elected officer, Public Utilities Commission (“PUC”) member, or ~~his or her~~ an elected officer or PUC member’s agent.

(b) A payment is not “made at the behest of” an elected officer or a PUC member and is not subject to behested payment reporting if the payment is made in response to a fundraising solicitation from a charitable organization requesting a payment unless the solicitation features an elected officer or PUC member.

(1) For purposes of this regulation, a solicitation “features an elected officer or PUC member” if the item mailed includes the elected officer's photograph or signature, or singles out the elected officer by the manner of display of ~~his or her~~ name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color.

(2) An elected officer or PUC member is also featured in a solicitation if the roster or letterhead listing the governing body contains a majority of elected officers or PUC members.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82004.5, 82041.3 and 84224, Government Code.